

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI

**IN RE: LINDA FAYE CANNON**

**CHAPTER 7**

**BANKRUPTCY NO.: 19-11248**

**LINDA CANNON  
MOVANT**

**VS.**

**CITIBANK, N.A.**

**RESPONDENT**

**AMENDED MOTION TO AVOID JUDGMENT LIEN**

COME NOW the Debtor, Linda Cannon, and files this Motion to Avoid Judgment Lien in the above-styled and numbered cause, and would respectfully represent the following:

1.

This is a core proceeding and this court has jurisdiction over this contested matter pursuant to 28 U.S.C. Section 157 and 1334 and 11 U.S.C. Section 522 in that this action is filed by the Movant to avoid a judgment lien obtained by the Respondent prior to filing of this bankruptcy.

2.

That prior to the filing of the Petition herein the Respondent obtained a judgment against Movant in the Circuit Court of Marshall County, Mississippi, Case Number CV2008-000553 in the amount of \$13,835.92. The judgment impairs debtors' property exemptions under Miss. Code Ann. §85-3-1(a), et seq.

3.

The debt on which the Respondent obtained their judgment arose pre-petition, and the Movant listed Respondent in his petition on the appropriate schedules.

4.

Respondent received, or should have received, notice of Movant's bankruptcy through this Court.

5.

Pursuant to 11 U.S.C. § 522(f), Movant is entitled to have Respondent's judgment lien avoided.

WHEREFORE, PREMISES CONSIDERED, Movant prays that the Court enter judgment avoiding the judgment lien obtained by Respondent.

Movant prays for such other further relief as may be just.

Respectfully submitted, this the 22nd day of April 2019.

/s/ Matthew Y. Harris

MATTHEW Y. HARRIS

MS STATE BAR NO. 99595

Post Office Box 120

New Albany, Mississippi 38652

(662) 539-7381

mharris@myharrislaw.com

ATTORNEY FOR DEBTOR/MOVANT

**CERTIFICATE OF SERVICE**

I, Matthew Y. Harris, Attorney for Debtor, Linda Cannon, do hereby certify that a true and correct copy of the above and foregoing **Motion to Avoid Judgment Lien** has been served on the following persons and/or entities by placing said copy in the United States Mail, postage prepaid, addressed to them at their usual mailing addresses, or via CM/ECF:

U. S. Trustee  
100 West Capitol Street, Suite 706  
Jackson, Mississippi 39269  
[USTPRegion05.AB.ECF@usdoj.gov](mailto:USTPRegion05.AB.ECF@usdoj.gov)

Simpson Law Firm, P.A.  
John S. Simpson  
PO Box 1410  
Ridgeland, MS 39151410

Citibank  
P.O. BOX 9001037  
Louisville, KY 40290

William L. Fava  
[wfava@favafirm.com](mailto:wfava@favafirm.com), [wlf@trustesolutions.net](mailto:wlf@trustesolutions.net)

SO CERTIFIED, this the 22nd day of April 2019.

/s/ Matthew Y. Harris  
Matthew Y. Harris